

**MINUTES OF THE FOWLER CITY COUNCIL MEETING  
JANUARY 5, 2016**

Mayor Cardenas called the meeting to order at 7:00 p. m.

Councilmembers Present: Cardenas, Parra, Hammer, Monis, & Simonian

City Staff Present: City Manager Elias, City Clerk Davis, City Attorney Wolfe, Police Chief Brand, Finance Director McDonald, Fire Chief Lopez

The Flag Salute and Pledge of Allegiance were followed by an invocation given by Mayor Cardenas. Roll call was taken. There were no public presentations.

**COMMUNICATIONS**

City Clerk Davis mentioned an invitation to the Fresno County Board of Supervisors Designation of Officers ceremony on January 12, 2016. City Manager Elias mentioned an invitation to a League of California Cities briefing on the Medical Marijuana Regulation & Safety Act on January 25, 2016 in Tulare.

**STAFF REPORTS:**

**FIRST READING OF ORDINANCE NO. 2016-01**

City Attorney Wolfe explained that Ordinance No. 2016-01 expands upon the City's existing ban on Medical Marijuana (MMJ) dispensaries, to expressly prohibit MMJ delivery in the City. The City's current ordinance prohibits dispensaries - which would be interpreted to also prohibit mobile dispensaries and delivery. However, recent legislation calls for specific ordinance language clearly stating that delivery is prohibited.

Councilmember Hammer made a motion, seconded by Councilmember Simonian, to waive the first reading and approve Ordinance No. 2016-01, "An Ordinance of the City Council of the City of Fowler Amending Sections 5-18.02 and 5-18.04 of Chapter 18, of Title 5, of the Fowler Municipal Code Pertaining to Medical Marijuana Delivery." The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis & Simonian. Noes: None. Abstain/absent: None.

**FIRST READING OF ORDINANCE NO. 2016-02**

City Attorney Wolfe explained that Ordinance No. 2016-02 makes it a violation of the Fowler Municipal Code to possess or use any illegal or dangerous fireworks, with fines up to \$1,000.00 for each violation. The ordinance provides clarification of existing citation processes regarding illegal fireworks.

The Council discussed the ordinance, and recommended that staff notify the public about the fine when it becomes effective. Mayor Pro-Tem Parra made a motion, seconded by Councilmember Monis, to waive the first reading and approve Ordinance No. 2016-02, "An Ordinance of the City Council of the City of Fowler Adding Section 4-6.09 to Chapter 6 of Title 4 of the Fowler Municipal Code Relating to the Use or Possession of Illegal Fireworks." The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis & Simonian. Noes: None. Abstain/absent: None.

#### **CITY MANAGER'S REPORT**

City Manager Elias said that he has been communicating with several banking institutions regarding bringing a new bank into the City. Also, staff recently held a conference call with representatives of USDA to finalize the City's loan application for a new fire station.

#### **PUBLIC WORKS DIRECTOR'S REPORT**

No report was given.

#### **FINANCE DIRECTOR'S REPORT**

Finance Director McDonald said that he plans to have the 2014-2015 Fiscal Year audits presented at the first meeting in February.

#### **POLICE DEPARTMENT REPORT**

Chief Brand circulated a crime statistics report for November and December 2015. The total number of cases issued for 2015 was 927, down from the prior year.

#### **FIRE DEPARTMENT REPORT**

Chief Lopez circulated an emergency call and activities report for November 2015.

#### **CITY ATTORNEY'S REPORT**

No report was given.

#### **CONSENT CALENDAR**

The Consent Calendar consisted of: A) Ratification of Warrants - January 5, 2016; B) Approve Minutes of the City Council Meeting - November 3, 2015; C) Approve Supplement to Contract for Consulting Services with Townsend Public Affairs, Inc.; D) Resolution No. 2338, "A Resolution of the City Council of the City of Fowler Authorizing Check Signers with Wells Fargo Bank," E) Approve Guidelines for Business Assistance Loan Program operated by City of Fowler with Community Development Block Grant (CDBG) funding; and F) Approve CDBG Program Income Funded Waiver Request. Mayor Pro-Tem Parra made a motion, seconded by Councilmember Simonian, to approve the Consent Calendar. The motion carried by unanimous voice vote: Ayes: Cardenas, Parra, Hammer, Monis & Simonian. Noes: None. Abstain/absent: None.

## **COMMITTEE REPORTS**

Councilmember Simonian commented on the attractiveness of the City's downtown holiday decorations during the Christmas season.

## **CLOSED SESSION**

The meeting was adjourned to a closed session at 8:05 p. m. to discuss, pursuant to Government Code Section 54956.8 - Conference with Real Property Negotiators: Property: 1) Assessor Parcel Number 343-142-14, 131 N. 6th Street, Fowler, CA, 93625. Agency Negotiators: David Elias. Negotiating party: Fowler Christian Church, Church of Christ, Fowler, CA. Under Negotiation: Price, terms. The meeting reconvened to open session at 8:10 p. m. with no reportable action taken.

## **ADJOURNMENT**

Having no further business, Mayor Pro-Tem Parra made a motion, seconded by Councilmember Monis, to adjourn. The motion carried and the meeting adjourned at 8:11 p. m.